

## **Assembly Bill No. 1461**

### **CHAPTER 630**

An act to amend Section 10369.12 of the Insurance Code, relating to health insurance.

[Approved by Governor September 30, 2008. Filed with  
Secretary of State September 30, 2008.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AB 1461, Krekorian. Health insurance: liability: alcohol and drug abuse.

Existing law authorizes a disability policy to provide that the insurer is not liable for any loss sustained or contracted in consequence of the insured's being intoxicated or under the influence of any controlled substance unless administered on the advice of a physician.

This bill would exclude a health insurance policy from the application of the above-described provision, thereby allowing for insurer liability under those circumstances.

*The people of the State of California do enact as follows:*

SECTION 1. Section 10369.12 of the Insurance Code is amended to read:

10369.12. (a) A disability policy may contain a provision in the form set forth herein.

Intoxicants and controlled substances: The insurer shall not be liable for any loss sustained or contracted in consequence of the insured's being intoxicated or under the influence of any controlled substance unless administered on the advice of a physician.

(b) Subdivision (a) shall not apply to a health insurance policy.